

**PB# 01-35**

**Daniel Searing  
(LLC)**

**9-1-92 & 20-2-40**

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
APPROVED COPY**  
DATE: August 14, 2002

SEARLING, DANIEL LOT LINE CHANGE  
SILVER SPRING ROAD / RIVER ROAD (RE-11)

01-35  
Map Number 193-02  
Section 20 Block 2 Lot 40  
City NEW Windsor  
Town WINDSOR  
Village WINDSOR

Title: Searing, Daniel  
VARIATION

Dated: 5-10-02 Filed: 9-9-02

Approved by James Bresnan  
on 8-14-02

Record Owner Searing, Daniel L.

DONNA L. BENSON  
Orange County Clerk

on 8-14-02

Record Owner Searing, Daniel L.

**DONNA L. BENSON**  
**Orange County Clerk**

2001-0380

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 08/19/2002

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LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 1-35

NAME: LOT LINE CHANGE 9-1-02 & 20-2-40

APPLICANT: SEARING, DANIEL

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
08/14/2002	PLANS STAMPED	APPROVED
05/08/2002	P.B. APPEARANCE LIST VARIANCES RECEIVED ON MAP IN MORE DETAIL	ND:WVE PH APPR COND
05/09/2001	P.B. APPEARANCE	LA: REFER TO ZBA
04/04/2001	WORK SESSION APPEARANCE	SUBMIT
08/16/2000	WORK SESSION APPEARANCE	RET TO WS

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 08/19/2002

PAGE:

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 1-35

NAME: LOT LINE CHANGE 9-1-02 & 20-2-40

APPLICANT: SEARING, DANIEL

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	05/01/2001	EAF SUBMITTED	05/01/2001	WITH APPLIC
ORIG	05/01/2001	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	05/01/2001	LEAD AGENCY DECLARED	05/09/2001	TOOK LA
ORIG	05/01/2001	DECLARATION (POS/NEG)	05/08/2002	NEG DEC
ORIG	05/01/2001	SCHEDULE PUBLIC HEARING	/ /	
ORIG	05/01/2001	PUBLIC HEARING HELD	/ /	
ORIG	05/01/2001	WAIVE PUBLIC HEARING	05/08/2002	WAIVE PH
ORIG	05/01/2001	AGRICULTURAL NOTICES	/ /	
ORIG	05/01/2001	BUILDING DEPT REFER NUMBER	/ /	

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 05/08/2002

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LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 1-35

NAME: LOT LINE CHANGE 9-1-02 & 20-2-40

APPLICANT: SEARING, DANIEL

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	04/24/2002	MUNICIPAL HIGHWAY . CONTACT D.O.T.	05/03/2002	APPROVED
REV1	04/24/2002	MUNICIPAL WATER	05/06/2002	APPROVED
REV1	04/24/2002	MUNICIPAL SEWER	/ /	
REV1	04/24/2002	MUNICIPAL FIRE	05/03/2002	APPROVED
REV1	04/24/2002	NYS DOT	/ /	
ORIG	05/01/2001	MUNICIPAL HIGHWAY	05/10/2001	N/A STATE
ORIG	05/01/2001	MUNICIPAL WATER	05/03/2001	APPROVED
ORIG	05/01/2001	MUNICIPAL SEWER	04/24/2002	SUPERSEDED BY REV1
ORIG	05/01/2001	MUNICIPAL FIRE	05/03/2001	APPROVED
ORIG	05/01/2001	NYS DOT	04/24/2002	SUPERSEDED BY REV1

**Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611**

**RECEIPT  
#726-2002**

**08/14/2002**

**Dls Excavating Inc.** #01-35

**Received \$100.00 for Planning Board Fees on 08/14/2002. Thank you for  
stopping by the Town Clerk's office.**

**As always, it is our pleasure to serve you.**

**Deborah Green  
Town Clerk**



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/06/2002

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 1-35

NAME: LOT LINE CHANGE 9-1-02 & 20-2-40

APPLICANT: SEARING, DANIEL

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
05/01/2001	REC CK. #1233	PAID		150.00	
05/09/2001	P.B. ATTY FEE	CHG	35.00		
05/09/2001	P.B. MINUTES	CHG	18.00		
05/08/2002	P.B. ATTY. FEE	CHG	35.00		
05/08/2002	P.B. MINUTES	CHG	18.00		
06/06/2002	P.B. ENGINEER FEE	CHG	232.80		
			-----	-----	
		TOTAL:	338.80	150.00	188.80

check #1

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/06/2002

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LISTING OF PLANNING BOARD FEES  
APPROVAL

FOR PROJECT NUMBER: 1-35

NAME: LOT LINE CHANGE 9-1-02 & 20-2-40

APPLICANT: SEARING, DANIEL

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/06/2002	P.B. APPROVAL FEE	CHG	100.00		
			-----	-----	-----
		TOTAL:	100.00	0.00	100.00

check #2

AS OF: 06/03/2002

PAGE: 1

## CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 1- 35

FOR WORK DONE PRIOR TO: 06/03/2002

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
1-35	173424	05/09/01	TIME	MJE	MM Searing L/L > ZBA	85.00	0.10	8.50			
1-35	173572	05/09/01	TIME	MJE	MC SEARING L/L	85.00	0.60	51.00			
1-35	176451	06/20/01	TIME	MJE	MC START ZBA REFERRAL	85.00	0.40	34.00			
								93.50			
1-35	176226	06/18/01			BILL 01-616					-59.50	
1-35	179891	08/21/01			BILL 01-792					-34.00	
										-93.50	
1-35	181775	09/05/01	TIME	MJE	MC SEARING ZBA REF	85.00	0.50	42.50			
								42.50			
1-35	185596	10/25/01			BILL 01-984					-42.50	
										-42.50	
1-35	204942	05/08/02	TIME	MJE	MM Searing Cond APPL	88.00	0.10	8.80			
1-35	205268	05/08/02	TIME	MJE	MC SEARING LL	88.00	0.50	44.00			
								52.80			
1-35	206930	05/30/02			BILL 02-663					-52.80	
										-52.80	
					TASK TOTAL			188.80	0.00	-188.80	0.00

GRAND TOTAL	188.80	0.00	-188.80	0.00
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6/3/02  
Myra -  
Plan OK  
[Signature]

6/3 K 44.00  
232.80

DANIEL SEARING LOT LINE CHANGE (01-35)

Mr. Craig Marti appeared before the board for this proposal.

MR. PETRO: This is a lot line change. Application involves lot line change between the two referenced parcels, both of which are understood to be owned by Mr. Searing. The application was previously reviewed at the 9 May, 2001 planning board meeting. PI zone and the current properties have an existing residence and commercial building located on the northerly lot and the setbacks are noncompliance as they exist. The application will be referred to the ZBA at the May 2001 meeting. What happened at the ZBA?

MR. MARTI: We basically got the variances which we were requesting, that being the continued non-conforming use of the residential structure with the revised building or with the revised lot area and the setbacks as indicated on the plan which has been resubmitted and with regard to lot 2, we needed a lot width as measured at 9 front yard setback distance, the flag portion of the lot and that variance was granted as well.

MR. PETRO: Are they on the map?

MR. MARTI: There's a general note indicating that the proposed lot configurations are in accordance with the variance. I understand Mr. Edsall's requested, recommended that they be added more defined and that that would be, that's no problem. The two lots basically as they have been as indicated on the map, the green lot is the existing lot line, the orange lot or the orange interior line is the revised line, it differs from the prior plan submitted to the planning board in that the prior lot, proposed lot line basically separated the residential structure from the existing wood frame garage. By having this lot line basically where the row of maple trees are, we thought it would be a natural delineation point where there was a row of trees. The ZBA was not comfortable with the amount of area dedicated to the residential use, so we made it more conforming with the area in size so there

was less change in the lot area. The Zoning Board of Appeals was comfortable with that and granted the variance based on that configuration.

MR. PETRO: What's the purpose of the lot line change?

MR. MARTI: Make this lot, as I discussed with Mark at the initial workshop session, the shape is a rather odd shape with a lot of non-conforming widths and setback and area as well as the existing non-conforming use. We felt it would be more appropriate that in conjunction with the development of lot 2 we were to clean up the oddities associated with the residential lot, make it a more traditional looking lot and then move forward with the lot line change and subsequent development of the second lot.

MR. PETRO: You had a public hearing at the zoning board for this?

MR. MARTI: Yes, one neighbor was present, he had no comments during the hearing, at least one that I know of, he made a comment to me as I was leaving, indicated he just came to see what it was about, had no comment with regards to the proposal.

MR. PETRO: Lot area for number one which is in the bulk table, is that the net area with the easement subtracted?

MR. MARTI: Yeah, the zoning table shows 30,606 square feet with a note asterisk and in the noted area there's an indication directly above the zoning table showing 29,547 which is the area without counting the easement area.

MR. EDSALL: Yeah, just so the record is clear, that number was there when the ZBA approved it, so they were aware of the subtraction.

MR. MARTI: Yes..

MR. PETRO: Both curb cuts are existing, I know that for a fact. The board should determine if this should be forwarded to the New York State DOT or if this

should be part of the site plan application. Why would we send it there?

MR. LANDER: Well, part of the site plan application, not in lot line change.

MR. EDSALL: I'm not looking to suggest that you do send it, I just want, because of some recent issues and discussions with DOT that it be considered. The record as you noted is clear, that both driveways exist. By approving the lot line change, you're approving the change in use so at that point, I think you may want to conclude that you need not send it for the lot line change but you'll consider it separately as part of the site plan.

MR. PETRO: As far as public hearing is concerned, gentlemen, for this lot line change, it has been to the zoning board, they had a public hearing there, it's very minor in nature. Motion to waive the public hearing?

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing under its discretionary judgment for the Searing lot line change. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Motion for negative dec.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the

New Windsor Planning Board declare a negative dec under the SEQRA process for the Searing lot line change on River Road. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: We have fire approval on 5/3/02. Do either of the board members present have any further comment?

MR. LANDER: No.

MR. ARGENIO: I have nothing.

MR. PETRO: Motion for final approval.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Searing lot line change on River Road, subject to the variances granted by the New Windsor Zoning Board be added to the map in more detail. Got that, Mr. Marti?

MR. MARTI: Yes.

MR. PETRO: With that, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. LANDER	AYE
MR. PETRO	AYE



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
JAMES M. FARR, P.E. (NY & PA)

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33 Airport Center Drive  
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**Writer's E-mail Address:**  
mje@mhepc.com

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** SEARING LOT LINE CHANGE  
**PROJECT LOCATION:** RIVER ROAD  
SECTION 9 – BLOCK 1 – LOT 92 and  
SECTION 20 – BLOCK 2 – LOT 40  
**PROJECT NUMBER:** 01-35  
**DATE:** 8 MAY 2002  
**DESCRIPTION:** THE APPLICATION INVOLVES A LOT LINE CHANGE BETWEEN THE,  
TWO REFERENCED PARCELS, BOTH OF WHICH ARE UNDERSTOOD TO  
BE OWNED BY MR. SEARING. THE APPLICATION WAS PREVIOUSLY  
REVIEWED AT THE 9 MAY 01 PLANNING BOARD MEETING.

1. The properties are in the PI Zoning District of the Town. Currently the properties have an existing residence and a commercial building located on the northerly lot. Setbacks for the commercial building are non-compliant as the lot lines currently exist. The application was referred to the ZBA at the May 2001 meeting.

The lot line change as shown on this plan is somewhat revised from the previous plan, based on requirements of the ZBA. The Board should discuss the change with the applicant's representative.

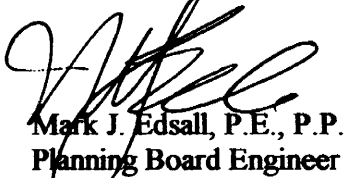
The applicant was apparently successful at the ZBA. The actual variances and the amount of the variances should be indicated on the plan.

2. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA, and make a determination regarding environmental significance.
3. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision (in form of lot line change), or if same can be waived per Paragraph 4.B of the Subdivision Regulations.



4. The applicant's surveyor should insure that the lot area for lot #1, indicated on the bulk table is a "net" area, with the easement subtracted.
5. In my May 2001 comments, I questioned whether both driveway cuts to River Road were existing, or if the north drive is proposed. The plan notes that both are existing. The Board should determine if this plan should be forwarded to the NYSDOT, or if such a referral will be made as part of the site plan application.
6. I am aware of no other outstanding issues for this application.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

MJE/st  
NW01-35-08May02.doc

RESULTS OF P.B. MEETING OF: May 8, 2002

**PROJECT:** J. Seaming L.L. Cho

P.B.# 01-35

**LEAD AGENCY:**

**NEGATIVE DEC:**

1. AUTHORIZE COORD LETTER: Y N

M) L S) A VOTE: A.3 N O

2. TAKE LEAD AGENCY: Y N

CARRIED: YES ☒ NO

M) S) VOTE: A N

CARRIED: YES NO

WAIVE PUBLIC HEARING: M) L S) A VOTE: A<sup>3</sup> N<sup>0</sup> WAIVED: Y ☒ N

SCHEDULE P.H. Y N ✓

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A.: M) S) VOTE: A N

RETURN TO WORK SHOP: YES NO

**APPROVAL:**

M) S) VOTE: A N APPROVED:

MO L S) A VOTE: A3 NO APPROVED CONDITIONALLY: 5/8/02

NEED NEW PLANS: Y ✓ N

**DISCUSSION/APPROVAL CONDITIONS:**

List Variances received on the map in more detail

B.2.

**ZONING BOARD OF APPEALS - Regular Meeting - February 25, 2002 \***

**AGENDA: 7:30 P.M. ROLL CALL-Motion-accept minutes of 01/14/02 & 01/28/02 meetings**

**PRELIMINARY MEETINGS:**

- NO SHOW* 1. **LEONETTI, JOHN** - Request for use variance to allow used car sales at 50 Mertes Lane in a PI zone. (68-1-7.1).
- NO SHOW* 2. **HANDY, RONALD** - Request for 5 ft. side yard variance for existing shed at 16 Locust Avenue in an R-4 zone. (18-2-24). ←
- SET UP FOR P/H* 3. **CALDWELL, MARK** - Request for 9.5 ft. rear yard and 10 ft. side yard variances to allow existing in-ground pool at 707 Little Britain Rd. in an R-4 zone. (5-1-15). ←
- SET UP FOR P/H* 4. **SUMMIT-ON-HUDSON** - Request for 10 ft. side yard variance for rear deck on Unit #131 on Hewitt Lane in an R-5 zone. (81-4-4.-10). ←
- SET UP FOR P/H* 5. **STRATEGIC REAL ESTATE-ADDED TO AGENDA BY CHAIRMAN (SEE NOTE\*)**

**PUBLIC HEARINGS:**

- APPROVED* 6. **FOLEY, ROBERT** - Request for variation of Sec. 48-14A(4) of Supplemental Yard Regs. to permit a detached garage to be constructed closer to road than principle structure at 333 Lake Road in an R-1 zone. (57-1-108). ←
- APPROVED* 7. **CURTIN, THOMAS aka Pool Tables Plus** - Request for 2 ft. 6 in. height variance for façade sign #1, 6 in height variance for sign #2, plus additional façade sign at 11 Quassaick Avenue in an NC zone. (14-1-1). ←
- APPROVED* 8. **DI COCCO, LUIGI** - Request for 7.5 ft. side yard variance for existing shed at 90 Guernsey Drive in a CL-1 zone. (80-1-21). ←
- APPROVED* 9. **SEARING, DANIEL** - Request for 21,851 sq. ft. lot area for Lot #1 (9-1-92) and 54,204 sq. ft. lot area and 75 ft. lot width for Lot #2 (20-2-40) to allow lot line change referred by P.B. Location: 1151 River Rd. in a PI zone. ←
- APPROVED* 10. **HONG, IN KEE** - Request for 64 sq. ft. sign variance for freestanding sign at new location for Hong's Karate School, 280 Windsor Highway (formerly Uncle Chu's) in C zone. (35-1-48). ←
- APPROVED* 11. **DELANEY, BRENDAN** - Request for variation of Sec. 48-14A(4) of Supp. Yard Regs. plus 35 ft. front yard variance to allow existing shed to project closer to street than principle structure at 2 Apple Court in an R-1 zone. (51-3-35). ←

F.D. (1) Moisheel (2) Conklin (3) Baker (4) Harris (5) Santos (6) Manera  
Pat - 563-4630 (o) 562-7107 (h)

*APPROVED*

\* **STRATEGIC REAL ESTATE** - Request for 10.1 ft. side yard variance for construction of single-family residence at 508 Toleman Road in an R-1 Zone. (52-1-104).

SET UP #1A DAN SEARING - B.P. FILE  
FOR P/H

**ZONING BOARD OF APPEALS - OCTOBER 22, 2001**

**AGENDA: 7:30 P.M. - ROLL CALL - Motion to Accept minutes of 09/24/01 minutes.**

**PRELIMINARY MEETINGS:**

SET UP  
FOR P/H

1. **MOISHEEL REALTY** - Request for use variance for storage of more than one commercial vehicle and repairs to commercial vehicles at 91 Toleman Road-R-3 zone. (56-1-35).

SET UP  
FOR P/H

2. **SANTOS, JOSE** - Request for 22,853 sq. ft. lot area variance to allow two-family dwelling in R-3 zone at 1009 Pine View Avenue. (89-4-5).

SET UP  
FOR P/H

3. **SHEEHAN, TIMOTHY** - Request for 6 ft. side yard and 6 ft. 7 in. rear yard variance for existing shed at 9 Mecca Drive in an R-4 zone. (58-1-25).

SET UP  
FOR P/H

4. **LUCAS, MICHAEL** - Request for use variance to allow existing three family residence in a PI zone at 27 Cullen avenue. (20-2-51).

SET UP  
FOR P/H

5. **WEED, RICHARD** - Request for use variance to allow two-family residence in an R-4 zone at 2 Kearney Drive. (70-2-5).

SET UP  
FOR P/H

6. **MANERA, JAMES** - Request for variation of Sec. 48-14A(4) to allow existing shed to project closer to road than residence at 4 Abby Lane in R-1 zone. (29-1-70).

SET UP  
FOR P/H

7. **SCHEUERMANN, JEFF** - Request for variation of Sec. 48-14C(1) to allow construction of 6 ft. fence to project closer to road than residence on corner lot at 11 Red Maple Way in R-3 zone. (32-2-101.1).

**PUBLIC HEARING:**

APPROVED

8. **DI MICELI, LOUIS** - Request for 25 ft. lot width variance for proposed single-family dwelling at 786 Jackson Avenue in an R-1 zone. (32-2-78.2).

APPROVED

9. **BILA FAMILY/OC TRUST** - Request for variation of Sec. 48-18H(1) for sign height and width and 2 addl. façade signs at Big V Town Center, 366 Windsor Highway in a C zone. (65-2-12.1).

APPROVED

10. **BOTZAKIS, GEORGE** - Request for parking variance of 11 spaces for ABC Pizza located at 198 Quassaick Avenue in an NC zone. (19-4-62).

APPROVED

11. **HUGHES, WAYNE** - Request for 8 ft. front yard variance for existing deck at 8 Marshall Drive in an R-4 zone. (70-4-4).

APPROVED

12. **PANOGIOTOPOULOS/FIESTA CINCO DE MAYO** - Request for 16 sq. ft. sign variance for freestanding sign at former Demo's Café at 1004 Rt. 94 in C zone. (69-1-9.1).

APPROVED

13. **LANGER, JEAN** - Request for 7 ft. rear yard variance for existing deck at 44 Faye Avenue in an R-4 zone. (48-4-38).

Pat - 563-4630 (o) or 562-7107 (h)

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 01-35

DATE: 5 SEPT

APPLICANT: DANIEL SEARLING

1151 RIVER ROAD

NEW WINDSOR, NY 12550

#1 ZBA OCT 22-

SET UP FOR P/H

#2 ZBA 2-25-02

APPROVED

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED \_\_\_\_\_

FOR (SUBDIVISION) - SITE PLAN) \_\_\_\_\_

LOCATED AT RIVER ROAD

ZONE \_\_\_\_\_

DESCRIPTION OF EXISTING SITE: SEC: 9 BLOCK: 1 LOT: 92

20

2

40

REUSED

2-25-01

MD

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

Lot #1 / LOT AREA VARIANCE  
LOT FRONT YARD VARIANCE

10,453

29,547

MICHAEL BABCOCK,  
BUILDING INSPECTOR

For

\*\*\*\*\*

REQUIREMENTS

LOT #1

PROPOSED OR  
AVAILABLE ~~REUSED~~ VARIANCE  
REQUEST

ZONE	USE	19,220	20,780
MIN. LOT AREA	40,000 SF	18,149	21,051
MIN. LOT WIDTH	150 FT	152.6	—
REQ'D FRONT YD	50 FT	32.9 *	17.1 *
REQ'D SIDE YD.	15 FT	49.7	—
REQ'D TOTAL SIDE YD.	40 FT	111.7	—
REQ'D REAR YD.	20 FT	57	—
REQ'D FRONTAGE	N/A	—	—
MAX. BLDG. HT.	12' / FT = 32.9'	18'	—
FLOOR AREA RATIO	0.6	0.07	—
MIN. LIVABLE AREA	N/A	—	—
DEV. COVERAGE	N/A %	— %	— %
O/S PARKING SPACES	—	—	—

\* PRE-EXISTING

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 01-35

DATE: 5 Sept. 01

APPLICANT: Daniel Searing

1151 River Road

New Windsor, NY 12550

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED \_\_\_\_\_

FOR (SUBDIVISION - SITE PLAN)

LOCATED AT River Road

ZONE \_\_\_\_\_

DESCRIPTION OF EXISTING SITE: SEC: 9 BLOCK: 1 LOT: 92  
20 2 40



IS DISAPPROVED ON THE FOLLOWING GROUNDS: \_\_\_\_\_

LOT #2

LOT WIDTH

~~LOT FRONT YARD~~ REVISED 2-25-02  
(MP)

*Mark Edsall for*  
MICHAEL BABCOCK, *(MP)*  
BUILDING INSPECTOR

\*\*\*\*\*

<u>REQUIREMENTS</u>	LOT #2	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE _____ USE _____			
MIN. LOT AREA			
MIN. LOT WIDTH	150 FT	74.9 FT	75.1 FT
REQ'D FRONT YD	50 FT	22.2	27.8 FT
REQ'D SIDE YD.			
REQ'D TOTAL SIDE YD.			
REQ'D REAR YD.			
REQ'D FRONTAGE			
MAX. BLDG. HT.			
FLOOR AREA RATIO			
MIN. LIVABLE AREA			
DEV. COVERAGE	%	%	%
O/S PARKING SPACES			

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

SEARING, DANIEL LOT LINE CHANGE (01-35)

Mr. Craig Marti appeared before the board for this proposal.

MR. MARTI: This is located approximately 400 feet south referred to as Silver Springs Road on the tax map, I apologize, I looked for the business located directly across the road and the name, it has escaped me between my driving into the parking lot and walking into the building. Mike, do you know the large corporation across the road from Dan Searing's site? It's the adjoining property.

MR. BABCOCK: Lightron is the one across the road, the Lightron site.

MR. ARGENIO: Abandoned tank farm is to the north?

MR. MARTI: The abandoned tank pads are to the north, there's other tank property to the south.

MR. PETRO: This application involves lot line change between the two referenced parcels, both are, which are understood to be owned by Mr. Searing.

MR. LANDER: Understood to be?

MR. PETRO: They are both owned by Dan Searing.

MR. MARTI: The properties in question are both owned by Dan Searing. With relation to the tax map tax parcel section 20 block 2 lot 40 which appears on the submitted map as lot 2, lot 1 is tax parcel section 20, lot, I'm sorry, section 9 block one lot 92 which currently contains a residential structure which is owned and occupied by Mr. Searing. The dashed line on the map here is the current property boundary between the two tax parcels. The driving force for the proposed lot line change is Mr. Searing's desire to install a commercial building to further expand his trucking business. He currently runs, lives in the house, runs the business primarily from the framed garage in the area of the property which he owns with the proposal to add a building shop, an office space in

the rear of the property. In conjunction with your engineering consultant during the workshops, we felt it would be appropriate to proceed with the lot line change, separate the existing non-conforming residential structure to its own parcel and then proceed with the site plan development of the resulting second parcel. The access to both parcels are via the existing paved drive to the residential lot. The existing gravel drive comes off the southern end of the property which will be lot 2 and takes, that's proposed to stay in place to serve the commercial or use of lot 2. The lot line change, resulting lot line is for the residential structure which results in a .4, roughly .4 acre parcel, the resulting larger lot is 1.5 acres, which would be developed with the next application with regards to the site plan. The zoning and bulk table reflect the existing conditions and proposed conditions with regards to the location of the new property line. Also shown on the plan is an easement, when the water line was installed along River Road, there were two water services installed to the residents, one is actually used for the residential structure, the other one was put in as requested in order to potentially serve the development of the rear portion of the lot. In order to keep the easement along the state right-of-way rather than going through the proposed continued use of the residential lot and the resulting lot 1, we have shown the water line easement along the DOT property and along the front parcel of this property for which the water can be installed from the existing valve rather than reopening the state highway.

MR. PETRO: Mike Babcock, let's talk about the referral to the zoning board, do we have to, do we not have to, I would look at we're removing the lot line that we're removing, we're actually making some of the nonconformities better, I would think.

MR. BABCOCK: Except for lot area, Mr. Chairman, the lot area is going to decrease on lot 1.

MR. PETRO: The residential lot?

MR. BABCOCK: Yes, the lot width is going to decrease on lot 2 and the front yard is decreasing on lot 2.

MR. KRIEGER: Yes, because you understand that the variance you get from the zoning board pretty much locks you in in terms, you can't change the application, change the footprint after you get that variance.

MR. MARTI: Right, actually, the request that Mr. Edsall had basically pertaining to additional information being added to the plan, rather than any type of change to the actual plan or the layout of the plan and I can go over that with him in the workshop, if he feels it's necessary, rather than occupying time tonight.

MR. EDSALL: One additional item which I caught in reviewing this with Mike as we discussed the Zoning Board referral, when you go to the ZBA, make sure that the area you use for lot 1 deducts the easement in the front because that's the--

MR. BABCOCK: The water line easement.

MR. EDSALL: The net area is what you have to show for your referral.

MR. LANDER: I assume they have sewer and water?

MR. BABCOCK: Yes.

MR. PETRO: Curb cuts on River Road are existing?

MR. MARTI: Yes, the curb cuts will be continued to be utilized.

MR. PETRO: Not changing them in any way?

MR. MARTI: No, not unless as Mark has suggested the board consider pavement of the existing gravel drive which will serve the commercial use and I would discuss that with my client and I would recommend that he pave it.

MR. PETRO: That would be part of the site plan anyway.

MR. EDSALL: No, actually--

MR. ARGENIO: I don't understand the lot width for lot 2.

MR. EDSALL: Lot width for lot 2 is decreasing because lot width by definition is measured at the front yard setback, so because of that bell shaped piece for lot, for the existing lot, it's decreasing which makes it perpendicular to River Road and the front yard, you can disregard my comment about lot two front yard because I doublechecked with Mike and the dimension that's shown as 22.2 between the existing frame garage and the rear line of lot 1 is considered a side yard.

MR. MARTI: We discussed in the workshop.

MR. EDSALL: We just got that verified, so they have only two problems.

MR. PETRO: So they need the variance?

MR. EDSALL: Yes.

MR. PETRO: What we'll do is we're going to send them to the zoning board, we're going to go through our process and send up to the zoning board and frankly, there's not much sense looking at the site plan until he goes to zoning board because this, these variances going to be needed for the lot line change. You follow me? If you were here for just the site plan, we'd continue, but there's no sense in going there until you get the lot done, if the lot's not done, there's no site plan.

MR. MARTI: We do, for the record, I do have the benefit though of the engineering comments pertaining to the original site plan application, I can incorporate those requested changes for any future resubmittal, go to the ZBA, come back and have the revised plans.

MR. PETRO: It's been reviewed, might as well take advantage of it.

MR. MARTI: Right.

MR. LANDER: Is there going to be a culvert underneath the new, well, I shouldn't say new, the existing gravel driveway to the south?

MR. MARTI: It doesn't show on any of the information given to me by the surveyor, I can doublecheck that, see if there's an existing culvert. I don't know if the site plan, both plans are consistent, I can doublecheck that just to see.

MR. LANDER: That driveway's been there for a while, yes.

MR. PETRO: Motion for lead agency.

MR. BRESNAN: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency under the SEQRA process. Any discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Motion for final approval.

MR. ARGENIO: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Searing lot line change on River Road. Is there any further discussion from the board members? If not, roll call.

May 9, 2001

42

ROLL CALL

MR. ARGENIO	NO
MR. BRESNAN	NO
MR. KARNAVEZOS	NO
MR. LANDER	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred to the New Windsor Zoning Board for your necessary variances. Once you're successful in receiving those and wish to appear before this board again, we'll go further with the site plan.

MR. MARTI: Those necessary variances, one would be the lot area?

MR. EDSALL: Lot area for lot 1, lot width for lot 2.

MR. PETRO: And deducting the net area out for the easement.







**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
JAMES M. FARR, P.E. (NY & PA)

□ **Main Office**  
33 Airport Center Drive  
Suite #202  
New Windsor, New York 12553  
(845) 567-3100  
e-mail: mheny@att.net

□ **Regional Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhpa@ptd.net

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**PROJECT NAME:** SEARING LOT LINE CHANGE  
**PROJECT LOCATION:** RIVER ROAD  
SECTION 9 – BLOCK 1– LOT 92 and  
SECTION 20 – BLOCK 2 – LOT 40  
**PROJECT NUMBER:** 01-35  
**DATE:** 9 MAY 2001  
**DESCRIPTION:** THE APPLICATION INVOLVES A LOT LINE CHANGE BETWEEN  
THE TWO REFERENCED PARCELS, BOTH OF WHICH ARE  
UNDERSTOOD TO BE OWNED BY MR. SEARING.

1. The properties are in the PI Zoning District of the Town. Currently the properties have an existing residence and a commercial building located on the northerly lot. Setbacks for the commercial building are non-compliant as the lot lines currently exist. The lot line change would place the residence on a 0.441 +/- acre lot with the commercial building on a newly configured 1.522 acre lot.
2. The bulk table on the Lot Line change plan notes uses A-2 and A-13, which are business offices with warehouse/distribution and lumber/building material/equipment sales/storage. The bulk values are identical and are correct on the plan.

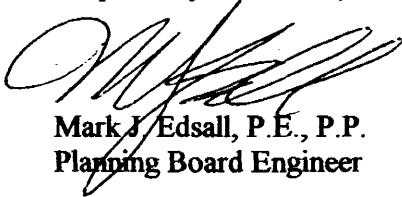
Some pre-existing non-conformances appear to exist. These should be called out on the plan. The compliance of each lot should be discussed with the Building Inspector at this meeting. A referral to the Zoning Board of Appeals may be necessary.

Some Issues: Lot #1 area  
Lot #2 Width  
Lot #2 Front Yard

3. The Planning Board may wish to assume the position of Lead Agency under the SEQRA review process.(If ZBA action needed, limited to this app only).

4. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA, and make a determination regarding environmental significance. (If ZBA action needed, defer until after variances granted).
5. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision (in form of lot line change), or if same can be waived per Paragraph 4.B of the Subdivision Regulations. (If ZBA action needed, defer until after ZBA action).
6. We should verify whether both curb cuts to River Road (a State Road) are existing or are being changed. It may be necessary to submit this application/plan to the NYSDOT.
7. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed appropriate by the Board.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

MJE/st  
NW01-35-09May01.doc

Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#401-2001**

05/02/2001

01-35 Application *See*  
DLS Excavating  
1151 River Road  
New Windsor, NY 12553

Received \$ 50.00 for Planning Board Fees, on 05/02/2001. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

**VALDINA ~ MARTI ENGINEERING & SURVEYING, P.C.****4 Pleasant View Ave., Newburgh, New York 12550****Frank J. Valdina, Jr., PE, LS**  
**Craig M. Marti, PE****Phone: (845) 565-4447**  
**NYS: (800) 893-4447**  
**Fax: (845) 565-4428****FACSIMILE COVER SHEET**  
**FAX # 845-565-4428**

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Mr. Mark Edsall, PE  
FIRM: Town Consulting Engineer

THIS INFORMATION WAS SENT BY:

NAME: Craig M. Marti, PE  
DATE: 09-06-01 TIME: 12xxTHE NUMBER OF PAGES TRANSMITTED (Including this page): 1

IF YOU DO NOT RECEIVE ALL PAGES IN LEGIBLE FORM, PLEASE CALL:

Craig M. Marti AS SOON AS POSSIBLE

COMMENTS:

Mark:

Please be advised that the lot width of Lot 2 as shown on the Lot Line Change Plan for Lands of Searing, is 74.9' measured parallel to the front property line at a point 50' back from the front line.

If you have any further questions regarding this matter, please contact me at your convenience.

Thanks





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

RECEIVED

MAY 03 2002

OFFICE OF THE PLANNING BOARD

N.W. HIGHWAY DEPT.

## PROJECT REVIEW SHEET

TO: ☐ FIRE INSPECTOR, ☐ WATER DEPT.,  
☐ SEWER DEPT., ☒ HIGHWAY DEPT.

RECEIVED  
TOWN OF NEW WINDSOR  
APR 24 2002  
ENGINEER & PLANNING

P.B. FILE # **01-35** DATE RECEIVED: \_\_\_\_\_

PLEASE RETURN COMPLETED FORM TO MYRA BY: 5-6-02

THE MAPS AND/OR PLANS FOR:

Daniel Searing - L.L. Chg  
Applicant or Project Name

SITE PLAN ☐, SUBDIVISION ☐, LOT LINE CHANGE ☒, SPECIAL PERMIT ☐

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes: Contact POE  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ DISAPPROVED:

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: [Signature] 5/3/02  
Reviewed by: \_\_\_\_\_ Date



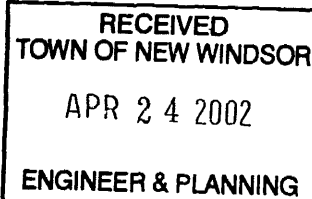
# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET

TO: ☐ FIRE INSPECTOR, ☒ WATER DEPT.,  
☐ SEWER DEPT., ☐ HIGHWAY DEPT.



P.B. FILE # **01-35**

DATE RECEIVED: \_\_\_\_\_

PLEASE RETURN COMPLETED FORM TO MYRA BY: 5-6-02

THE MAPS AND/OR PLANS FOR:

Daniel Searis - L.L. Chg  
Applicant or Project Name

SITE PLAN ☐, SUBDIVISION ☐, LOT LINE CHANGE ☒, SPECIAL PERMIT ☐

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ **APPROVED:**

Notes: Property has town water - notify water  
dept. if any change in service.

☒ **DISAPPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: Steve D'Amico 5-6-02  
Reviewed by: \_\_\_\_\_ Date

**INTER-OFFICE CORRESPONDENCE**

**TO: Town Planning Board**

**FROM: Town Fire Inspector**

**DATE: 3 May 2002**

**SUBJECT: Searing Lot Line Change**

**Planning Board Reference Number: PB-01-35**

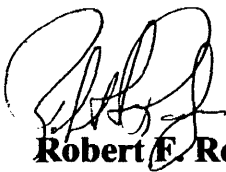
**Dated: 24 April 2002**

**Fire Prevention Reference Number: FPS-02-028**

**A review of the above referenced subject lot line change was conducted on 3 May 2002.**

**This lot line change is acceptable.**

**Plans Dated: 19 April 2002 Revision 3**

A handwritten signature in black ink, appearing to read 'R. Rodgers', is positioned above the printed name.

**Robert F. Rodgers**

**RFR/dh**



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 01-35

DATE PLAN RECEIVED: \_\_\_\_\_ RECEIVED  
MAY - 1 2001

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

Daniel Sevin has been

reviewed by me and is approved ☒

~~disapproved~~ \_\_\_\_\_

~~If disapproved, please list reason~~

Serviced by Town water -  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HIGHWAY SUPERINTENDENT DATE

John D. Lo - 5-3-01  
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



**INTER-OFFICE CORRESPONDENCE**

**TO: Town Planning Board**

**FROM: Town Fire Inspector**

**DATE: May 3, 2001**

**SUBJECT: Searing Lot line Change**

**Planning Board Reference Number: PB-01-35**


**Dated: 1 May 2001**

**Fire Prevention Reference Number: FPS-01-024**

**A review of the above referenced subject lot line change was conducted on 2 May 2001.**

**This lot line change is acceptable.**

**Plans Dated: 26 April 2001.**

  
**Robert F. Rodgers**

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 05/01/2001

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 1-35

NAME: LOT LINE CHANGE 9-1-02 & 20-2-40

APPLICANT: SEARING, DANIEL

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
05/01/2001	REC CK. #1233	PAID		150.00	
			-----	-----	-----
		TOTAL:	0.00	150.00	-150.00

*A. Zappalo*



**McGOEY, HAUSER and EDSALL**  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

☐ Main Office  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640  
☐ Branch Office  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF

New Windsor

P/B #

1-3

WORK SESSION DATE:

16 Aug 00

APPLICANT RESUB.  
REQUIRED:

REAPPEARANCE AT W/S REQUESTED:

PROJECT NAME:

DLS Excav (Dan Seearing) Site Plan

PROJECT STATUS: NEW

X

OLD

plus poss 1/2

REPRESENTATIVE PRESENT:

Craig Monti

MUNIC REPS PRESENT: BLDG INSP.

FIRE INSP.

ENGINEER

PLANNER

P/B CHMN.

OTHER (Specify)

X

X

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Proposed 40x60 bldg 7 office, kitchen, shower, bathroom and equip storage (disc poss code problem)
- 2 tax lots - poss 1/2 around SFR.  
A-2 - A-13 w/ B-2 exist.
- Decide how to handle ex-ist house - do 1/2? call out as B-2, pre-exist n.c. SFR  $\longleftrightarrow$  they must decide
- must keep revers separate
- show easement for water over the SFR lot
- rec drive be paved.

CLOSING STATUS

Set for agenda

possible agenda item

Discussion item for agenda

ZBA referral on agenda

pbwsform 10MJ98



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
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- ☐ Branch Office  
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Millford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B #       

WORK SESSION DATE: 4 April 01 APPLICANT RESUB.  
REQUIRED: 2 full app's

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: DLS 4/L + S/P

PROJECT STATUS: NEW        OLD       

REPRESENTATIVE PRESENT: Craig M.

MUNIC REPS PRESENT: BLDG INSP.         
FIRE INSP.         
ENGINEER X  
PLANNER         
P/B CHMN.         
OTHER (Specify)       

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Still 2 app's (back to back)

next avail agenda  
after app

CLOSING STATUS

Set for agenda  
possible agenda item  
Discussion item for agenda  
ZBA referral on agenda

pbwsform 10MJE98



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (914) 563-4615  
Fax: (914) 563-4693

## PLANNING BOARD APPLICATION

### TYPE OF APPLICATION (check appropriate item):

Subdivision \_\_\_\_\_ Lot Line Change ☒ Site Plan \_\_\_\_\_ Special Permit \_\_\_\_\_

Tax Map Designation: Sec. 9/20 Block 1/2 Lot 92/40

1. Name of Project Lot Line Change-Lands of Searing

2. Owner of Record Daniel L. Searing Phone 569-1775

Address: 1151 River Rd., New Windsor, N. Y. 12553  
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant Daniel L. Searing Phone 569-1775

Address: 1151 River Rd., New Windsor, N. Y. 12553  
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan Valdina-Marti Engr. & Surv., PC Phone 565-4447

Address: 4 Pleasant View Ave., Newburgh, N. Y. 12550  
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_  
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

Craig M. Marti, PE 565-4447  
(Name) (Phone)

7. Project Location:

On the West side of River Road 1000± feet  
(Direction) (Street) (No.)  
North of Silver Spring Road  
(Direction) (Street)

8. Project Data: Acreage 2.0± Zone P1 School Dist. Newburgh

PAGE 1 OF 2

( PLEASE DO NOT COPY 1 & 2 AS ONE PAGE TWO-SIDED)

RECEIVED

MAY - 1 2001

01-35

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes \_\_\_\_\_ No X

\*This information can be verified in the Assessor's Office.

\*If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".

10. Description of Project: (Use, Size, Number of Lots, etc.) Use and number of lots will not change; only the configuration of existing lots will vary.

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes \_\_\_\_\_ no X

12. Has a Special Permit previously been granted for this property? yes \_\_\_\_\_ no X

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

26<sup>th</sup> DAY OF April 2001

Frank J. Valchys Jr.  
NOTARY PUBLIC Notary Public, State of New York  
#4062100

Appointed in Orange County

\*\*\*\*\* My Commission Expires April 30, 2004 \*\*\*\*\*

[Signature]  
APPLICANT'S SIGNATURE

Daniel L. Searing  
Please Print Applicant's Name as Signed

TOWN USE ONLY RECEIVED

MAY - 1 2001

DATE APPLICATION RECEIVED

**01-35**

APPLICATION NUMBER

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
**TOWN OF NEW WINDSOR PLANNING BOARD**

Daniel L. Searing, deposes and says that he resides  
(OWNER)

at 1151 River Rd., New Windsor in the County of Orange  
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. 9 Block 1 Lot 92)  
designation number (Sec. 20 Block 2 Lot 40) which is the premises described in  
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

Craig M. Marti, PE , 4 Pleasant View Ave., Newburgh, N. Y. 12550

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 4/26/01

Anthony D. Valdivia  
Witness' Signature

Daniel L. Searing  
Owner's Signature

Applicant's Signature if different than owner

Craig M. Marti  
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR  
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED  
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

RECEIVED  
MAY - 1 2001

**01-35**

**TOWN OF NEW WINDSOR PLANNING BOARD  
SUBDIVISION/LOT LINE CHANGE CHECKLIST**

The following checklist items shall be incorporated on the Subdivision Plan prior to consideration for being placed on the Planning Board Agenda:

1.   X   Name and address of Applicant.
- \* 2.   X   Name and address of Owner.
3.   X   Subdivision name and location
- ④   X   Provide 4" wide X 2" high box directly above title block preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.  
**(ON ALL PAGES OF SUBDIVISION PLAN)**
5.   X   Tax Map Data (Section, Block & Lot).
6.   X   Location Map at a scale of 1" = 2,000 ft.
7.   X   Zoning table showing what is required in the particular zone and what applicant is proposing.
8.   X   Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
9.   X   Date of plat preparation and/or date of any plat revisions.
10.   X   Scale the plat is drawn to and North arrow.
11.   X   Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
12.   X   Surveyor's certificate.
- \*\* 13.   X   Surveyor's seal and signature.
14.   X   Name of adjoining owners.
15.   N/A   Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
- \* 16.   N/A   Flood land boundaries.
17.   N/A   A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
18.   X   Final metes and bounds.

\*\* WILL BE ON FINAL PLAT



19. X Name and width of adjacent streets road boundary is to be a minimum of 25 ft. from the physical center line of the street.
20. X Include existing or proposed easements.
21. N/A Right-of-way widths.
22. N/A Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
23. X Lot area (in square feet for each lot less than 2 acres).
24. X Number the lots including residual lot.
25. X Show any existing waterways.
- \*26. N/A A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
- \*\* 27. X Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
28. X Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
29. X Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
30. N/A Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
31. N/A Provide "septic" system design notes as required by the Town of New Windsor.
32. N/A Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
33. N/A Indicate percentage and direction of grade.
34. N/A Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
35. N/A Indicate location of street or area lighting (if required).

\*\* WILL BE ON FINAL PLAT

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. N/A

Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.

37. N/A

A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

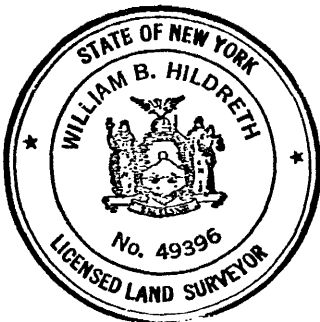
"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leaser shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

**PREPARER'S ACKNOWLEDGMENT:**

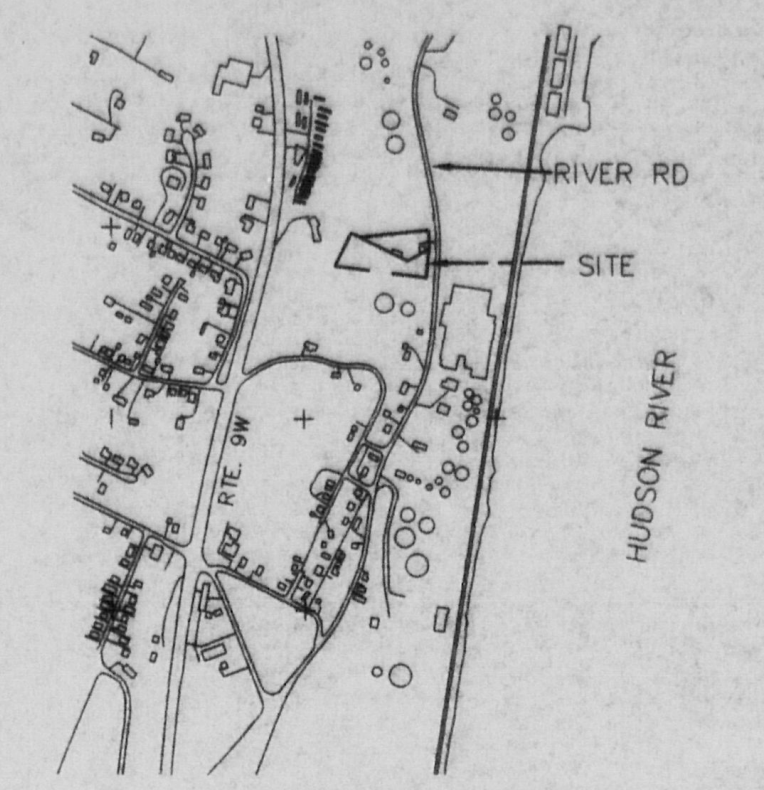
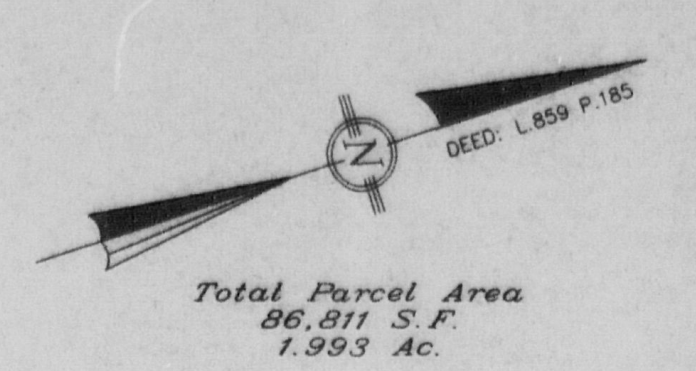
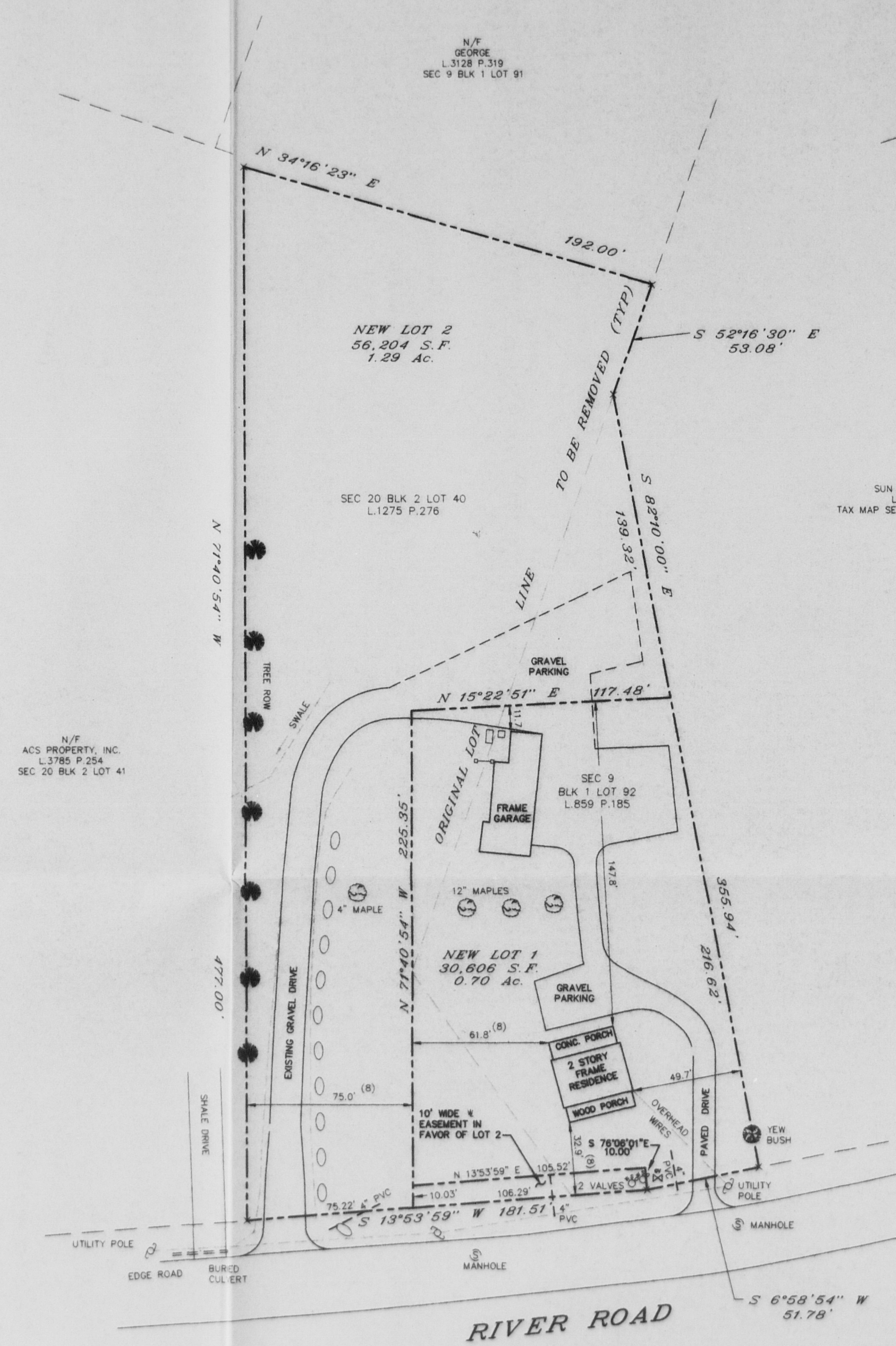
THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.



BY:

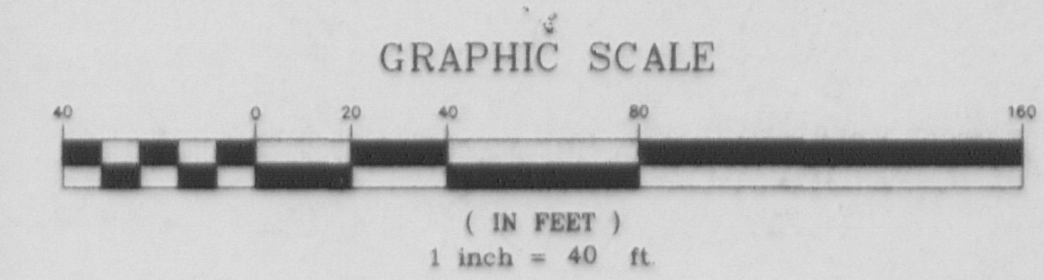
William B. Hildreth 4/26/01  
Licensed Professional Date





NOTES:

- 1) BEING A LOT LINE CHANGE BETWEEN PARCELS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAPS AS SECTION 9, BLOCK 1, LOT 92 AND SECTION 20, BLOCK 2, LOT 40. DEEDS OF RECORD.
- 2) OWNER/APPLICANT: DANIEL L. SEARING  
1151 RIVER ROAD  
NEW WINDSOR, NEW YORK 12553
- 3) PROPERTY ZONE: PI  
TAX LOT 92 - PREEXISTING RESIDENTIAL USE  
TAX LOT 40 - PROPOSED USE GROUP A2 OR A13  
TO BE SUBJECT TO SEPARATE SITE PLAN APPROVAL.
- 4) WATER SUPPLY AND SEWER DISPOSAL BY EXISTING MUNICIPAL SYSTEMS.
- 5) NO CERTIFICATION IS MADE FOR ITEMS NOT VISIBLE AT GROUND SURFACE AT THE TIME OF THE SURVEY.
- 6) UNAUTHORIZED ALTERATION OR ADDITION TO THIS PLAN IS A VIOLATION OF SECTION 7209(2) OF THE NEW YORK STATE EDUCATION LAW.
- 7) ONLY COPIES OF THE ORIGINAL OF THIS PLAN TOGETHER WITH AN ORIGINAL LAND SURVEYOR'S SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
- 8) PROPOSED LOT CONFIGURATIONS ARE IN ACCORDANCE WITH A VARIANCE GRANTED BY THE ZONING BOARD OF APPEALS FEB. 25, 2002.  
LOT 1: AREA VARIANCE - 10,453 sq. ft.  
FRONT YARD VARIANCE - 17.1 ft.  
LOT 2: LOT WIDTH VARIANCE - 75.1 ft.



ZONING TABLE  
AFTER LOT LINE CHANGE

LOT AREA (SF)	MIN. REQUIREMENTS	SECT 9 BLK. 1, LOT 92 NEW LOT 1 (SEE NOTE B)	SECT. 20, BLK. 2, LOT 40 NEW LOT 2 (SEE NOTE B)
LOT AREA (SF)	40,000	** 30,606 SF	56,204 SF
LOT WIDTH (FT.)	150	152.3'	75.0'
FRONT YARD (FT.)	50	* 32.9'	TO MEET CODE
REAR YARD (FT.)	20	147.8'	TO MEET CODE
SIDE YARD (FT.)	15/40	49.7/111.5	TO MEET CODE
BUILDING HEIGHT	12" / FT.	18'	TO MEET CODE
FLOOR AREA RATIO	0.6	0.07	TO MEET CODE
STREET FRONTAGE	N/A	N/A	N/A
LIVABLE FLOOR AREA	N/A	N/A	N/A
DEVELOPMENT COVERAGE	N/A	N/A	N/A

OWNERS CERTIFICATION:

I HEREBY STATE THAT I AM FAMILIAR WITH THIS MAP AND CONSENT TO ITS TERMS AND CONDITIONS AND THE FILING OF SAID MAP IN THE ORANGE COUNTY CLERK'S OFFICE.

*Daniel L. Searing* 5/15/02 DATE  
DANIEL L. SEARING  
1151 RIVER RD.  
NEW WINDSOR, NEW YORK 12553

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAN RESULTED FROM AN ACTUAL FIELD SURVEY OF THE INDICATED PREMISES COMPLETED ON 21 JULY 2000 PERFORMED IN ACCORDANCE WITH THE CODE OF PRACTICE ADOPTED BY THE N.Y.S. ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC., AND IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, CORRECT

*William B. Hildreth*

**Grevas & Hildreth** LAND SURVEYORS  
407 SOUTH PLANK ROAD UNIT 3, NEWBURGH, N.Y. 12550  
TEL: (845) 566-9650

DATE	DESCRIPTION	Drwn By:	CK'd By:
8/1/01	PER. PLNG. BD. ENG. (CMM)	CMM	WBH
1/28/02	PER. ZBA COMMENTS (CMM)		
04/19/02	PER. ZBA APPROVAL (CMM)		
05/10/02	PER. PLNG. BD. (CMM)		

Scale: 1"=40'  
Date: 04/26/01  
Sht. 1 of 1

PLANNING BOARD APPROVAL

APPROVAL GRANTED BY TOWN OF NEW WINDSOR

AUG 14 2002

By: *Daniel L. Searing*  
By: *James J. Petro, Jr.*

**LANDS OF DANIEL SEARING**  
1151 RIVER ROAD, NEW WINDSOR, NY 12553  
**LOT LINE CHANGE**  
**FINAL PLAN**  
SECT. 20 BLK. 2 LOT 40  
SECT. 9 BLK. 1 LOT 92  
TOWN OF NEW WINDSOR ~ ORANGE CO. ~ NEW YORK